# Martinez, et al. v. Feliks & Son Storage Tank Corp., et al., 21-cv-03613(GRB)(JMW) Plaintiffs Damages Summmary In Support of Motion for Default May 20, 2022

	Carlos	Juan	Efrain	Jose	Jowany	
	Contreras	Martinez	Reyes	<b>Pimental</b>	Castillo	TOTAL
Overtime	\$31,249.52	\$ 61,970.95	\$ 49,133.10	\$18,847.62	\$10,872.86	\$172,074.05
Liquidaated Damages	\$31,249.52	\$ 61,970.95	\$ 49,133.10	\$18,847.62	\$10,872.86	\$172,074.05
Statutory Dgs (NYLL 195-1 & 195-3)	\$10,000.00	\$ 5,000.00	\$ 5,000.00	\$10,000.00	\$10,000.00	\$ 40,000.00
Interest (CPLR)	\$ 9,418.81	\$ 23,385.91	\$ 16,579.35	\$ 5,384.25	\$ 2,646.67	\$ 57,415.00
Total	\$81,917.86	\$152,327.81	\$119,845.55	\$53,079.48	\$34,392.39	\$441,563.09

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Martinez, et al. v. Feliks & Son Storage Tank Corp., et al., 21-cv-03613(GRB)(JMW) Castillo

Damage Calculations In Support of Motion for Default Judgment

From To Wages Hourly Rate Premium 2/1/2019 4/15/2020 \$ 180.00 \$ 17.14 \$ 8.57

\$

5/20/2022 Today

	6 DA	Y WORKWE	EK
	FROM	TO	HOURS
MON	7:00 AM	6:00 PM	10.50
TUE	7:00 AM	6:00 PM	10.50
WED	7:00 AM	6:00 PM	10.50
THURS	7:00 AM	6:00 PM	10.50
FRI	7:00 AM	6:00 PM	10.50
SAT	7:00 AM	6:00 PM	10.50
			63.00

Wage Statement Violations (NYLL 195(3) & 198)

Wage Notice Violations (NYLL 195(1) & 198)

5 DAY WORKWEEK									
From	To	Hours							
7:00 AM	6:00 PM	10.50							
7:00 AM	6:00 PM	10.50							
7:00 AM	6:00 PM	10.50							
7:00 AM	6:00 PM	10.50							
7:00 AM	6:00 PM	10.50							

Damages/

Workday

\$ 250.00

\$ 50.00

2/27/2015

UNPAID OVERTIME																
	I	ı	1		I		6 D	ay Workweeks				5	Day Workweeks			
Begin	End	Total Weeks	Less: Weeks Off (1 Week/ Year)	Weeks Worked	OT Rate	Weeks Worked 6 Days/Wk (3 out of 4 weeks)	OT Hours Worked	OT Earned		otal 6 Day orkweek OT Owed	Weeks Worked 5 Days/Wk (1 out of 4 weeks)		OT Owed for 5 Day Workwee	Total 5 Day Workweek OT Owed	TOTAL OT (6 day OT + 5 day OT)	
2/1/2019	4/15/2020	63	1	62	\$ 8.57	47	23.00	\$ 197.14	\$	9,265.71	15	12.50	\$ 107.14	\$ 1,607.14	\$ 10,872.86	
				62		47			\$	9,265.71	15			\$ 1,607.14		\$10,872.86

#### LIQUIDATED DAMAGES

52.50

10,872.86 \$ 100% Of Overtime Owed

5,000.00

15,678.57 \$

\$10,872.86

	STATUTOR	RY DAMAGES						
Effective								
Date of				Work- days/	Work-		Max	
WTPA	Hire Date	Last Date	Weeks	Week	days	Total Dgs	(\$5,000)	
2/27/2015	2/1/2019	4/15/2020	63	5	314	\$ 78,392.86	\$ 5,000.00	

314 \$

PRE-JUDGMENT INTEREST, 9%

4/15/2020

2/1/2019

			# of	Amount		Interest
Begin	End	Midpoint	Years	Owed	Rate	Owed
2/1/2019	4/15/2020	9/8/2019	2.70	\$ 10,872.86	9%	\$ 2,646.67

63

\$2,646.67

\$10,000.00

\$34,392.39 **TOTAL** 

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Reyes Martinez, et al. v. Feliks & Son Storage Tank Corp., et al., 21-cv-03613(GRB)(JMW)

Damage Calculations In Support of Motion for Default Judgment

OT

From	To	Wages	Hou	rly Rate	Pr	emium
11/12/2014	3/15/2016	140	\$	13.33	\$	6.67
3/16/2016	12/31/2018	180	\$	17.14	\$	8.57
1/1/2019	11/25/2019	250	\$	23.81	\$	11.90

Today 5/20/2022

	6 DAY	' WORKWE	EK
	FROM	TO	HOURS
MON	7:00 AM	6:00 PM	10.50
TUE	7:00 AM	6:00 PM	10.50
WED	7:00 AM	6:00 PM	10.50
THURS	7:00 AM	6:00 PM	10.50
FRI	7:00 AM	6:00 PM	10.50
SAT	7:00 AM	6:00 PM	10.50
			63.00

5 E	AY WORKV	VEEK
From	To	Hours
7:00 AM	6:00 PM	10.50
7:00 AM	6:00 PM	10.50
7:00 AM	6:00 PM	10.50
7:00 AM	6:00 PM	10.50
7:00 AM	6:00 PM	10.50
		52.50

UNPAID OVERTIME															
6 Day Workweeks 5 Day Workweeks															
						Weeks				Weeks					
			Less:			Worked 6				Worked 5					
			Weeks Off			Days/Wk (3			Total 6 Day	Days/Wk (1	OT	OT Owed for	Total 5 Day	TOTAL OT	
		Total	(1 Week/	Weeks		out of 4	OT Hours		Workweek OT	out of 4	Hours	5 Day	Workweek OT	(6 day OT + 5	
Begin	End	Weeks	Year)	Worked	OT Rate	weeks)	Worked	OT Earned	Owed	weeks)	Worked	Workweek	Owed	day OT)	
11/12/2014	3/15/2016	70	1	69	\$ 6.67	52	23.00	\$ 153.33	\$ 7,973.33	17	12.50	\$ 83.33	\$ 1,416.67	\$ 9,390.00	
3/16/2016	12/31/2018	146	3	143	\$ 8.57	107	23.00	\$ 197.14	\$ 21,094.29	36	12.50	\$ 107.14	\$ 3,857.14	\$ 24,951.43	
1/1/2019	11/25/2019	47	1	46	\$ 11.90	35	23.00	\$ 273.81	\$ 9,583.33	35	12.50	\$ 148.81	\$ 5,208.33	\$ 14,791.67	
				258		194			\$ 38,650.95	88			\$ 10,482.14		\$49,133.10

LIQUIDATED DAMAGES

100% Of Overtime Owed \$ 49,133.10

\$49,133.10

STATUTORY DAMAGES									
	Effective								
Damages/	Date of			Work- days/	Work-		Max		
Workday	WTPA	Hire Date Last Date	Weeks	Week	days	Total Dgs	(\$5,000)		
Wage Statement Violations (NYLL 195(3) & 198) \$ 250.00	2/27/2015	11/12/2014 11/25/2019	247	5	1237	\$ 309,285.71	\$ 5,000.00		

\$5,000.00

\$16,579.35

	PRE-J	UDGMENT I	NTEREST	, <b>9</b> %
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			# of	Amount		Interest
Begin	End	Midpoint	Years	Owed	Rate	Owed
11/12/2014	3/15/2016	7/14/2015	6.87	\$ 9,390.00	9%	\$ 5,807.74
3/16/2016	12/31/2018	8/8/2017	4.80	\$ 24,951.43	9%	\$ 10,771.61
1/1/2019	11/25/2019	6/14/2019	2.94	\$ 14,791.67	9%	\$ 3,916.95

TOTAL \$119,845.55

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Pimental Martinez, et al. v. Feliks & Son Storage Tank Corp., et al., 21-cv-03613(GRB)(JMW)

Damage Calculations In Support of Motion for Default Judgment

T

From To Wages Hourly Rate Premium 2/1/2018 12/31/2018 \$ 160.00 \$ 15.24 \$ 7.62 1/1/2019 4/15/2020 \$ 180.00 \$ 17.14 \$ 8.57

Today 5/20/2022

	6 DAY	WORKWE	EK
	FROM	TO	HOURS
MON	7:00 AM	6:00 PM	10.50
TUE	7:00 AM	6:00 PM	10.50
WED	7:00 AM	6:00 PM	10.50
THURS	7:00 AM	6:00 PM	10.50
FRI	7:00 AM	6:00 PM	10.50
SAT	7:00 AM	6:00 PM	10.50
			63.00

5 DAY WORKWEEK									
From	From To								
7:00 AM	6:00 PM	10.50							
7:00 AM	6:00 PM	10.50							
7:00 AM	6:00 PM	10.50							
7:00 AM	6:00 PM	10.50							
7:00 AM	6:00 PM	10.50							
		52.50							

							UNPAID	OVE	RTIME								
								Day W	Vorkweeks		5 Day Workweeks						
Begin	End	Total Weeks	Less: Weeks Off (1 Week/ Year)	Weeks Worked	OT Rate	Weeks Worked 6 Days/Wk (3 out of 4 weeks)	OT Hours Worked		OT Earned	Fotal 6 Day orkweek OT Owed	Weeks Worked 5 Days/Wk (1 out of 4 weeks)	OT Hours Worked	OT Owed fo Day Workw		Total 5 Day Workweek OT Owed	TOTAL OT 6 day OT + 5 day OT)	
2/1/2018	12/31/2018	48	1	47	\$ 7.62	35	23.00	\$	175.24	\$ 6,133.33	12	12.50	\$ 95.	24	\$ 1,142.86	\$ 7,276.19	
1/1/2019	4/15/2020	67	1	66	\$ 8.57	50	23.00	\$	197.14	\$ 9,857.14	16	12.50	\$ 107.	14	\$ 1,714.29	\$ 11,571.43	
				113		85				\$ 15,990.48	28				\$ 2,857.14		\$18,847.62

LIQUIDATED DAMAGES

100% Of Overtime Owed \$ 18,847.62

\$18,847.62

			OT 4 TUTO D	V D 4144 OFO						
			STATUTOR	Y DAMAGES						
		Effective								
	Damages/	Date of				Work- days/	Work-		Max	
	Workday	WTPA	Hire Date	Last Date	Weeks	Week	days	Total Dgs	(\$5,000)	
Wage Statement Violations (NYLL 195(3) & 198)	\$ 250.00	2/27/2015	2/1/2018	4/15/2020	115	5	574	\$ 143,571.43	\$ 5,000.00	
Wage Notice Violations (NYLL 195(1) & 198)	\$ 50.00	2/27/2015	2/1/2018	4/15/2020	115	5	574	\$ 28,714.29	\$ 5,000.00	

\$10,000.00

DDE	HIDCMENT	INTEREST 9%	
PRF-	11 11 10 3 10/11 10 11	INTEREST 9%	

			# of	Amount		Interest
Begin	End	Midpoint	Years	Owed	Rate	Owed
2/1/2018	12/31/2018	7/17/2018	3.85	\$ 7,276.19	9%	\$ 2,523.18
1/1/2019	4/15/2020	8/24/2019	2.75	\$ 11,571.43	9%	\$ 2,861.07

\$5,384.25

TOTAL \$53,079.48

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Martinez Martinez, et al. v. Feliks & Son Storage Tank Corp., et al., 21-cv-03613(GRB)(JMW)

Damage Calculations In Support of Motion for Default Judgment

 From
 To
 Wages
 Hourly Rate
 OT Premium

 11/12/2014
 12/31/2017
 \$ 170.00
 \$ 16.19
 \$ 8.10

 1/1/2018
 12/24/2020
 \$ 240.00
 \$ 22.86
 \$ 11.43

Today 5/11/2022

	6 DAY WORKWEEK							
	FROM	TO	HOURS					
MON	7:00 AM	6:00 PM	10.50					
TUE	7:00 AM	6:00 PM	10.50					
WED	7:00 AM	6:00 PM	10.50					
THURS	7:00 AM	6:00 PM	10.50					
FRI	7:00 AM	6:00 PM	10.50					
SAT	7:00 AM	6:00 PM	10.50					
			63.00					

5 [	DAY WORKV	VEEK
From	To	Hours
7:00 AM	6:00 PM	10.50
7:00 AM	6:00 PM	10.50
7:00 AM	6:00 PM	10.50
7:00 AM	6:00 PM	10.50
7:00 AM	6:00 PM	10.50
		52.50

							UNPAID OV	'ERTIME								
						6 Day Workweeks						5 D				
						Weeks					Weeks					
						Worked 6					Worked 5					
			Less: Weeks			Days/Wk (3				Total 6 Day		OT		Total 5 Day	TOTAL OT	
		Total	Off (1 Week/	Weeks		out of 4	OT Hours			Workweek O	out of 4	Hours	OT Owed for 5	Workweek OT	(6 day OT + 5	
Begin	End	Weeks	Year)	Worked	OT Rate	weeks)	Worked	OT Ea	arned	Owed	weeks)	Worked	Day Workwee	Owed	day OT)	
11/12/2014	12/31/2017	164	3	161	\$ 8.10	121	23.00	\$	186.19	\$ 22,529.	)5 40	12.50	\$ 101.19	\$ 4,047.62	\$ 26,576.67	
1/1/2018	12/24/2020	155	3	152	\$ 11.43	114	23.00	\$	262.86	\$ 29,965.	71 38	12.50	\$ 142.86	\$ 5,428.57	\$ 35,394.29	
				313		235				\$ 52,494.	<mark>76 78</mark>			\$ 9,476.19		\$61,970.95

#### LIQUIDATED DAMAGES

100% Of Overtime Owed \$ 61,970.95

\$61,970.95

5	STAT	JTORY	DAMAGES	

	Епесиче								
Damages/	Date of				Work- days/	Work-		Max	
Workday	WTPA	Hire Date	Last Date	Weeks	Week	days	Total Dgs	(\$5,000)	
\$ 250.00	2/27/2015	11/12/2014	12/24/2020	304	5	1519	\$ 379,821.43	\$ 5,000.00	0

Wage Statement Violations (NYLL 195(3) & 198) Wage Notice Violations (NYLL 195(1) & 198)

\$5,000.00

חחר	HIDOM	NTFRFST	O0/

			# Of		Amount		Interest
Begin	End	Midpoint	Years	Years Owed		Rate	Owed
11/12/2014	12/31/2017	6/6/2016	5.95	\$	26,576.67	9%	\$ 14,223.26
1/1/2018	12/24/2020	6/29/2019	2.88	\$	35,394.29	9%	\$ 9,162.65

\$23,385.91

TOTAL \$152,327.81

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Contreras Martinez, et al. v. Feliks & Son Storage Tank Corp., et al., 21-cv-03613(GRB)(JMW)

Damage Calculations In Support of Motion for Default Judgment

)T

From To Wages Hourly Rate Premium 2/1/2017 3/15/2020 \$ 160.00 \$ 15.24 \$ 7.62 3/16/2020 \$ 170.00 \$ 16.19 \$ 8.10

Today 5/20/2022

	6 DAY	6 DAY WORKWEEK					
	FROM	TO	HOURS				
MON	7:00 AM	6:00 PM	10.50				
TUE	7:00 AM	6:00 PM	10.50				
WED	7:00 AM	6:00 PM	10.50				
THURS	7:00 AM	6:00 PM	10.50				
FRI	7:00 AM	6:00 PM	10.50				
SAT	7:00 AM	6:00 PM	10.50				
			63.00				

5 DAY WORKWEEK						
From	From To H					
7:00 AM	6:00 PM	10.50				
7:00 AM	6:00 PM	10.50				
7:00 AM	6:00 PM	10.50				
7:00 AM	6:00 PM	10.50				
7:00 AM	6:00 PM	10.50				
		52.50				

**UNPAID OVERTIME** 6 Day Workweeks 5 Day Workweeks Weeks Weeks Worked 5 Less: Worked 6 Weeks Off Days/Wk (3 Total 6 Day Days/Wk (1 Total 5 Day OT TOTAL OT (1 Week/ Weeks out of 4 OT Hours Workweek OT out of 4 Hours OT Owed for 5 Workweek OT Total (6 day OT + 5 Begin End Weeks Year) Worked OT Rate weeks) Worked OT Earned Owed weeks) Worked Day Workwee Owed day OT) 2/1/2017 3/15/2020 163 3 160 7.62 120 23.00 175.24 \$ 21,028.57 40 12.50 95.24 \$ 3,809.52 \$ 24,838.10 \$ 3/16/2020 12/24/2020 40 1 39 \$ 8.10 29 23.00 \$ 186.19 \$ 5,399.52 10 12.50 \$ 101.19 \$ 1,011.90 \$ 6,411.43 199 149 26,428.10 50 4,821.43 \$31,249.52

LIQUIDATED DAMAGES

100% Of Overtime Owed \$ 31,249.52

\$31,249.52

			STATUTORY	/ DAMAGES						
		Effective								
	Damages/	Date of				Work- days/	Work-		Max	
	Workday	WTPA	Hire Date	Last Date	Weeks	Week	days	Total Dgs	(\$5,000)	
Wage Statement Violations (NYLL 195(3) & 198)	Workday \$ 250.00	WTPA 2/27/2015	Hire Date 2/1/2017	Last Date 12/24/2020	Weeks 203	Week 5	days 1016	Total Dgs \$ 253,928.57		

\$10,000.00

PRE-JUDGMENT INTEREST, 9%

			# of	Amount		Interest	
Begin	End	Midpoint	Years	Owed	Rate	Owed	
2/1/2017	3/15/2020	8/24/2018	3.75	\$ 24,838.10	9%	\$ 8,382.86	
3/16/2020	12/24/2020	8/4/2020	1.80	\$ 6,411.43	9%	\$ 1,035.96	

\$9,418.81

TOTAL \$81,917.86